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MONTANA BOARD OF CRIME CONTROL

Michael A. Lavin
Administrator

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Volume 7, Number 4

March-May, 1979

SUBGRANTS TOP \$450,000 FOR MARCH AND MAY

The Board of Crime Control awarded \$269,793.72 during its March 29-30 meeting and \$189,119.48 at the meeting held May 24-25. Subgrant amounts for the two months are distributed in the following broad program categories.

	March	May
Equipment	\$ 9,170.13	\$ 5,790.14
Local Jails	7,309.95	815.66
Consolidation/SIP	6,750.00	17,010.00
Communications	10,531.69	
Court Manpower	4,800.00	
In & Out-of-State Training	5,944.01	
Defense Training	483.30	848.37
Judicial Education & Training	24,632.31	
Prosecution Training	29,600.62	
CJS Interns	9,000.00	7,500.00
Community Awareness	290.25	2,443.55
Juvenile Justice Training	33,385.05	
Deinstitutionalization of Status Offenders	7,897.40	9,475.00
Delinquency Prevention	33,701.51	
Statewide CJS Information Services	85,297.50	80,061.30
Courts		2,368.42
Victim Witness Program		5,218.10
Uniform Recordkeeping/Procedures Manuals		900.00
Juvenile Probation		3,078.94
Management Monitoring System		53,610.00

Plans Taking Shape For Management Training; New POST Certification Tied In

The Criminal Justice Management Training Project Advisory Committee met on May 31 to discuss development of a core curriculum to fill common needs of professionals in various criminal justice-related jobs.

The group appointed a subcommittee to study the matter, and on June 7 the subcommittee reconvened. Based on survey material provided by Steve Lemmer of the Board of Crime Control's Bureau of Research and Planning on priorities of criminal justice professionals and on their assessment of needs throughout the system, they submitted breakdowns of two courses, judged most important for beginning the core curriculum: Management Training (80 hours) and Leadership and Supervision (40 hours). Bids will now be requested for conducting these courses.

The cost for tuition and room and board for anyone attending the management training courses at MLEA will be paid by the MBCC grant under which the training has been initiated. Only the cost of transportation to and from the Academy will be borne by the individual student's agency.

New POST Certification Available

Relative to the availability of this new curriculum, Clayton Bain, POST Executive Director, announced adoption of new requirements for supervisor, command, and administrative certification. These requirements will go into effect June 29 and copies will be mailed to all departments for insertion into POST manuals.

It's Official — MLEA's New Home

Drawing a parallel with the pioneers of Montana's not-too-distant past, Attorney General Mike Greely, addressing some 350 persons who attended the May 9 dedication of the Montana Law Enforcement Academy's new office, classroom, and dormitory facilities in Bozeman, characterized MLEA Chief Larry Lytle as a modern-day pioneer, a dreamer with a vision that he pursued until it became a reality: a trained, modern law enforcement community to serve the public.

Historically, Greely said, dollars have been short for law enforcement, especially for training, while, ironically, the criminal element becomes ever more sophisticated and resourceful. The existence of an institution like MLEA serves to eliminate that gap.

Lytle expressed thanks to everyone who helped bring the Academy to its present status — from sheriffs and chiefs to the county residents who voted to make the land, once the property of a private school, available for use by the Academy.

MLEA was established by the state legislature in 1959, but it was not until 1970 that federal Law Enforcement Assistance Administration (LEAA) funds, granted by the Board of Crime Control, enabled it to operate on a permanent, year-round basis with a full-time staff.

LEAA funding continued but on a declining scale in the years between 1970 and 1976, and in fiscal year 1977 the state assumed total support of the Academy without any federal assistance.

In 1959, one two-week course was conducted, from which 37 officers graduated. In 1978, 56 schools were held with 1,303 officers graduating. This year, Lytle expects 1,500 students to attend 60 regular courses and 40 regional schools.

Officers attending Academy schools have represented Montana sheriffs' offices and police departments, the state prison, the seven Indian tribes, the Highway Patrol, Fire Marshal, Department of Fish and Game, the U.S. Forest Service, the National Park Service, the U.S. Air Force, and peace officers from the surrounding states and Canada.

Courses of instruction range from the six-week basic to specialized courses such as Police Management, Death Investigation, Civil Process, Juvenile Procedures, Instructor Development, Jail Management, Dispatcher Training, Photography, Electronic Intelligence, and Hostage Negotiation.

Lytle announced a new training initiative for the Academy, which will provide a core curriculum and specialized instruction in management training for adult and juvenile justice professionals including corrections and judiciary personnel (see related article on page 1).



Lytle and Greely at dedication.

What IS the Role of the Juvenile Justice System?

by Jim Merrill, Juvenile Justice Specialist,
Great Falls/Cascade County Crime Attack Team

For nearly 80 years we have been struggling to answer that question. We have seen numerous approaches to the problems raised by youth in that system, running the gamut from radical/non-intervention to peer counseling to determinate sentencing and many others. But, underlying all the approaches have been two basic concepts: first, that youthful offenders deserve special handling simply because of their age; and second, that such special handling somehow benefits the youth who is involved in the system.

It is especially troubling to see that belief in these concepts is so prevalent in light of such statements as: "There is evidence . . . that there may be grounds for concern that the child received the worse

of two worlds: That he gets neither the protection afforded to adults nor the solicitous . . . and regenerative care postulated for children." So said former Supreme Court Justice Fortas some years ago.

In our genuine desire to help troubled youth we may, in fact, be doing the child more harm than good, and inadvertently demeaning the system and the professionalism of its practitioners as well. If this is the case, we are doing even greater damage to the individual youth over the long haul.

Consider a hypothetical example. Say a youth in Montana is arrested and accused of committing a crime. Say the law enforcement officer, being aware of the provisions of the Youth Act, feels it would harm the child if he, the officer, proceeds with formal processing. The officer may effect an informal agreement between the youth and a deputy

(Continued on Page 3)

CRIME PREVENTION SCHOOL HELD IN LEWISTOWN

More than 30 state crime prevention practitioners attended a two-day workshop sponsored by the Montana Crime Prevention Association in Lewistown April 11-12.

A grant from the Board of Crime Control brought Sgt. Pat Olson from the Tacoma Police Department, who served as instructor along with Capt. Ron Alles of the Billings Police Department.

Among the topics covered were community organization and resources, rural crime prevention, knowledge dissemination techniques, news media relations, and displays/publications.

In the segment on speaking and communication, Deputy Red Wilson of Wolf Point was one who demonstrated his impromptu oratorical skill for classmates, who took turns evaluating each other, assigning talk subjects, and speaking (see photo, below).

Election of officers resulted in Capt. Alles' being retained as president, Red Wilson chosen vice-president, and Janet Matteucci (Cascade County Sheriff's Office) elected secretary-treasurer. Three board members were also picked: Bill Reed, Missoula PD, Dan Taylor, Valley County Sheriff, and Gary Fjelstad, Treasure County Sheriff.



Juvenile Justice System . . .

(Continued from Page 2)

probation officer rather than formalize the procedure, ostensibly for the benefit of the youth.

But there are multiple dangers in such an operation. The first involves the law enforcement officer. The Youth Act does not stipulate limitations or criteria for evidence in such instances. The absence of such stipulations could be interpreted to mean the officer's evidence and attendant investigatory processes need not meet the same standards as for other investigatory cases — we could, in effect, be telling juvenile officers they are not expected to do as professional a job when working on juvenile investigations. It may be that children handled in this manner benefit by not being formally processed. However, one must question what type

of attitude they develop toward the legal system when they see the inconsistencies in the process.

Another area of concern, from our hypothetical case, is the agreement leading to informal probation. The Youth Act does not require any such informal agreement to be safeguarded by legal advice and consent. The Act may be interpreted to mean that a violation of such informal agreement — even if that violation is for a status offense — could lead to adjudication of delinquency. Should a child be institutionalized as a result of this process, he would be reinforced in his beliefs about how unjust the system really is, especially if it happened as a result of repeating the same behavior which was originally handled informally. Then the child may conclude the system is "messed up" if as a result of subsequent adjudication he receives formal probation, which does not differ from informal probation, especially if the violation of the informal agreement were for a more serious offense.

Perhaps setting ourselves to answer the question posed by the title is too big a job to tackle here, and we should subdivide that question into parts which contribute to an answer.

Defining the role of the juvenile officer in law enforcement — should his investigative methods be subject to different evaluative standards than those of another officer conducting a criminal investigation? Are there differences in proving the commission of a crime which are solely dependent on the age of the alleged offender? If probation, strictly defined, is a punishment that results from a conviction for committing a criminal act, should such impositions on individuals' rights be allowed without a conviction (adjudication, in the case of a youth)?

Detention is another issue. The Act specifies that a youth may not be detained for more than five days without a petition being filed, yet the Act also indicates the decision as to detention rests with the probation officer. Possibly a probation officer could order detention for up to five days without intending to file a petition. If such an interpretation is possible it might also be that the Act has, in a de facto sense, authorized discretionary punitive detention without any review mechanism — a situation unheard of in the adult system.

We desperately want to immediately and positively affect deviant behavior in youth. Our hearts tell us that kids need limits and guidelines to direct and facilitate their growth, and yet our experience is that correct and judicially sound procedures may delay our impact on their lives. We must continually ask ourselves what kind of impact such inequities have. By conducting our operations as outlined above, we may be defeating the very purpose we hope to attain — to show youth that the justice system is fair to everyone. Additionally, we must remember two other points: we purport to believe in the principle of innocence until guilt

(Continued on Page 4)

Update on LEAA in Congress

The Conference Committee on the Budget approved the Senate figure of \$446 million for LEAA's fiscal 1980 budget.

Both houses then passed the First Concurrent Budget Resolution with LEAA at that level. This is \$100 million below the amount requested by President Carter and approved by the House. The House and Senate Appropriations subcommittees on state, justice, commerce, and the judiciary will make the first official congressional recommendations on allocations of these funds. Neither house has scheduled hearings, but they are expected in the near future.

The Senate passed the Justice System Improvement Act by a vote of 67-8 on May 21. No major changes were made in the bill approved earlier by the Senate Judiciary Committee, except that its name was changed to the Law Enforcement Assistance Reform Act. The House is not expected to act before the middle of June.

Juvenile Justice System . . .

(Continued from Page 3)

is proven; and, in the case of youth, adjudication in no way precludes leniency, service delivery, or special attention at disposition.

Several changes in present procedures could help alleviate the problems discussed above. Some may appear radical but they simply attempt to help the justice system redevelop that dispassionate approach to investigation of crimes which is at the heart of professional performance. The changes are:

1. Develop and implement standards for criminal investigation of youth which parallel the standards for criminal investigation of adults.
2. Eliminate informal probation as it presently exists.
3. Mandate detention hearings for all youths held in any secure facility longer than 8 hours.
4. Implement immediate interim supervision of youth between arrest and adjudication, approximating bail in the adult system.
5. Implement standards for supervisory case plans including written quarterly and semi-annual reviews for the appropriate youth court.

— GOOD OLE DAYS —

You think you've got it tough? Well, here's a list of rules posted in 1872 for officers in an upstate New York Police Department:

—Desk officer each day will fill lamps, clean chimneys and clean wicks.

—Each officer will bring in a bucket of water and a scuttle of coal for each shift.

—Make your pens carefully. You may whittle nibs to your individual taste.

—Officers will be given an evening off each week for courting purposes, or two evenings a week if they go to church regularly.

—After thirteen hours on duty, the officers should spend the remaining time reading the Bible or other good books.

—Each officer who smokes Spanish cigars, uses liquor in any form, frequents pool or dance halls, or gets shaved in a barber shop will give good reason to suspect his worth, intentions, integrity and honesty.

—The officer who performs his duties faithfully and without fault for five years will be given an increase of five cents per day in his pay providing city funds permit.

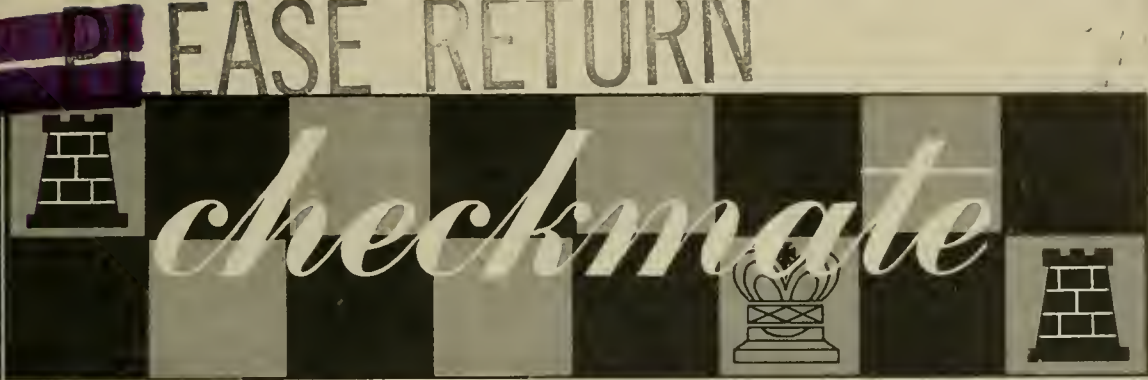
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DRUG/ALCOHOL COUNSELORS ARE CONTINUED; GOVERNOR TAPS THREE FOR BOARD

The Montana Board of Crime Control awarded \$109,589.46 at its meeting held January 25-26 in Helena. Among the subgrants approved was one to fund the second year of the Flathead County Economic Crime Unit (\$10,386.87) and another to continue the services of a drug/alcohol counselor at each of three state institutions — Montana State Prison, Swan River Youth Forest Camp, and Pine Hills School (\$28,506.03).

Subgrants were distributed in the following broad categories:

Equipment	\$ 2,369.45
Communications	2,827.70
Replacement Manpower	4,867.88
In & Out-of-State Training	1,821.94
Defense Training	732.93
Consolidation/SIP	18,336.24
Community Treatment	10,278.00
Alcohol & Drug Abuse Treatment	28,506.03
Juvenile Justice Training	37,362.45
Statewide CJS Information Services	2,486.84

Governor Judge has named three persons to fill vacancies on the board. Serving two-year terms will be Robert L. "Dusty" Deschamps, Missoula County Attorney; Don Peoples, Butte-Silver Bow Chief Executive, and James R. Halverson, Roosevelt County Commissioner.

MACJE Has Programs for Criminal Justice Careers

The Montana Association of Criminal Justice Educators (MACJE) is an organization of representatives of criminal justice education programs in Montana colleges and universities. The Association, which is affiliated with the Pacific Northwest Association of Criminal Justice Educators and the Academy of Criminal Justice Sciences, provides a forum for disseminating information and discussing issues pertinent to the criminal justice system and to criminal justice education in particular. Approximately twice a year MACJE convenes to discuss and consider matters of mutual concern to criminal justice educators in Montana.

Following are brief program descriptions. For further information about MACJE, contact Dr. David Fabianic, Sociology Department, Montana State University, Bozeman, MT 59717, or Mr. Don Garner, Flathead Valley Community College, Kalispell, MT 59901. For further information on any specific campus program, contact the listed campus director.

Flathead Valley Community College

Flathead Valley Community College became involved in the Law Enforcement Education Program (LEEP — federal subsidies for the education of students in accredited criminal justice programs) with in-service law enforcement personnel, and over the years involvement has extended to many people from various law enforcement-related agencies.

(Continued on Page 2)

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RACs Start Plan Process

Members of the SPA's Planning Bureau have attended recent Regional Council meetings in order to lay the groundwork for this year's planning process which will result in block grant allocations to action programs for FY1980.

Out of these meetings will come preliminary problem statements based on crime analysis data and on the ways the criminal justice system is currently dealing with the problems of crime.

The problem statements, ranked in order of priority by each region, will determine the parameters for SPA planning.

July 31 is the date by which the completed Montana comprehensive plan must be submitted to LEAA.

CRIMINAL JUSTICE CAREERS . . .

(Continued from Page 1)

With the addition two years ago of an intern program for students considering a career in some aspect of social justice, an excellent opportunity has been afforded students to gain experience and insight into the real world of social justice, while in turn benefiting the agencies they intern for. To date, interns have worked at the Flathead County Sheriff Department, Adult Probation and Parole, and for the Flathead County Welfare Fraud Office.

In the Kalispell Police Department alone, seven men have earned the AA (Associate of Arts) degree, largely as a result of LEEP. One of the major benefits has been the interaction of law enforcement personnel with the student community.

For further information, contact Mr. Don Garner, Flathead Valley Community College, Kalispell, MT 59901.

Montana State University

The Social Justice Program at MSU has a liberal arts orientation with an emphasis in social justice. Part of the sociology department, the program requires courses in sociology, natural science, humanities, social sciences, math, oral and written communication, and social justice. Particular courses in social justice include Introduction to Criminal Justice, Correctional Thought, Police Organization and Management, Criminal Law, Parole and Probation, and Police in American Society. Students can also elect courses in victimology, corrections law, police behavior, criminal procedure, criminal evidence, plus seminars and an internship.

For further information, contact Mr. Robert Harvie, Director, Social Justice Program, Sociology Department, Montana State University, Bozeman, MT 59717.

Dawson Community College

Those who complete the two-year program at Dawson receive an Associate of Applied Science degree in law enforcement. Currently including about

MACJE Conference Set for May

The Montana Association of Criminal Justice Educators (MACJE) will hold its spring meeting May 11 in Helena on the theme "Criminal Justice Issues in Montana."

It will include a program of relevant papers and discussions and will feature Mr. Ed Mack of the Academic Assistance Division, Law Enforcement Assistance Administration.

Sessions will deal with such topics as law enforcement and criminal justice education. Students are particularly urged to participate; there will be a session devoted entirely to student papers. Criminal justice personnel, academicians, and other interested parties are invited to attend and participate.

Persons interested in submitting a paper for the conference or seeking additional information should contact Dr. David Fabianic, Chairman, MACJE, Department of Sociology, Montana State University, Bozeman, MT 59717.

Can Anyone Use These Safety Shields?

When the Teton County Sheriff's Office changed its patrol cars from large to mid-size models, it ended up with at least one electric gun lock and four safety shields that don't fit the new smaller cars. These items were originally purchased with MBCC grants. Also not being used is a low-band law enforcement radio system, not MBCC-funded.

As this type occurrence has probably happened or will happen in other agencies around the state, and as the "retired" articles are often in usable, if not almost new condition, some type of inventory exchange could be started whereby all this unused equipment could be bought, sold, or traded, monetarily benefiting all agencies involved, especially small agencies with limited budgets.

What do the readers of Checkmate think of this idea? Any agency wishing to either advertise retired equipment, MBCC-funded or not, or to acquire other equipment mentioned in this newsletter could contact the editor (Terry Hoskins) and the process could be set in motion.

50 students, the program aims to prepare future peace officers to be productive entry level employees, offering broad technical training that, together with experience, should enable them to advance to positions of increasing responsibility and provide academic foundations to permit graduates to continue study in baccalaureate programs in law enforcement, criminology, penology, or police administration. The curriculum is reviewed to determine the appropriateness of program requirements and to assure balance of technical and liberal arts course requirements.

For further information, contact Mr. Gary Olson, Law Enforcement Department, P.O. Box 421, Dawson Community College, Glendive, MT 59330.

(Continued on Page 3)

Environmental Design, Citizen Involvement Cut Crime

A Hartford, Connecticut, neighborhood cut its burglary rate by nearly half after an experimental anti-crime program fostered new teamwork between police and residents and gave the area a greater sense of neighborhood identity.

The city rerouted traffic and closed some streets in the North Asylum Hill area, a move that discouraged through traffic, enhanced the area's residential character, increased residents' use of public spaces and of their own yards, and enabled residents to feel more responsible for the area.

The project is believed to be the first in the nation to combine such environmental changes with neighborhood team policing and collective anti-crime work by residents.

The result was a 42% decrease in burglaries from 1976 to 1977 and a 27.5% reduction in robberies and purse snatchings. Residents also said their fear of crime diminished, despite a reduction in the number of police officers because of city budget limitations.

Results of the experiment are contained in a document entitled "Reducing Residential Crime and Fear: the Hartford Neighborhood Crime Prevention Program," by the Hartford Institute of Criminal and Social Justice.

Research for the program began in 1973; recommendations for police and resident crime prevention strategies were implemented in 1975. In 1976 the city began making physical changes using environmental design concepts.

The project's basic premise was that most criminal activity is unplanned and opportunistic. "Offenders prefer an environment where they can spend time without attracting attention, where there is a potential victim and where there is an opportunity for escape," said the report.

North Asylum Hill fit that picture before the project began. A residential area near the city's business center, it was beginning to deteriorate in the early 1970s. Long-time residents were moving away. People did not know their neighbors and they avoided public places such as a once-popular park. The area's large, open parking lots and a substantial amount of non-resident auto and pedestrian traffic attracted criminals.

During the research, everything was considered: the kinds of crime in the area, when they occurred and where, who committed them, and who the victims were. The physical environment was studied, as well as the street layout, traffic flow, and their impact on life-styles, not only of criminals but of residents.

Two project elements — new policing strategies and the involvement of residents in crime prevention — were operating a year before the city began

making the recommended physical changes in the area.

The purpose of these changes was to better define the area's boundaries, discourage auto and pedestrian traffic by non-residents, and help create a true neighborhood. Underlying this was the expectation that if residents increased their use of yards, sidewalks, and parks and got to know one another, they also would increase their ability to maintain surveillance over the area.

However, many proposed changes were resisted. Merchants strongly opposed the rerouting of traffic, fearing it would hurt their businesses, and brought a lawsuit to stop it. The issue was resolved through an agreement that the city could proceed with the plan but if unacceptable to residents and merchants after six months, it would be changed back.

Various modifications and compromises were made in the number of streets closed and materials used to create cul-de-sacs. The final changes, amounting to about \$100 per housing unit, narrowed six streets, changed seven to cul-de-sacs, and rerouted traffic either onto two key streets or around the area. Project officials even recommended that residents fence their yards, and many did.

The project report noted that there was a marked improvement in the police clearance rate, from 30 burglaries and five street robberies cleared by arrest in 1975, to 58 burglaries and 40 robberies cleared in 1977.

The project was evaluated by The Center for Survey Research of the University of Massachusetts in Boston.

The study has not yet been published but draft copies of the executive summary report are available on interlibrary loan from LEAA's National Criminal Justice Reference Service (NCJRS). For information, call 202-862-2900 or send an interlibrary loan form to the Document Loan Program, NCJRS, Box 6000, Rockville, Maryland 20850.

CRIMINAL JUSTICE CAREERS . . .

(Continued from Page 2)

College of Great Falls

At the College of Great Falls, the Department of Criminal Justice Studies offers a curriculum designed to prepare students for work in crime prevention, probation, and corrections, as well as other positions in criminal justice at the local, state, and federal level. Emphasis is on the criminal justice system with supporting courses in the field. More than ever now, the skills that can be gained by college training are needed by police departments, correctional agencies, and the courts.

The Department of Criminal Justice Studies offers a two-year program leading to an associate degree. Although this program is recommended primarily for individuals interested in law enforcement, many go on to complete the additional two years

(Continued on Page 4)

CRIMINAL JUSTICE CAREERS . . .

(Continued from Page 3)

required for a bachelor's degree. A concentration or minor in criminal justice studies is recommended for the BS or BA degree in sociology. The program offers a variety of opportunities to students to become acquainted with the different professional roles that criminal justice personnel are called upon to fill.

The curriculum offers a variety of course topics which include directly-related as well as sociologically-related courses, enabling the individual to develop an awareness of the complexity of the criminal justice system. Included are such courses as Criminal Law, Organization and Operation of Law Enforcement Agencies, Criminal Evidence and Procedure, Minorities, Sociology of Deviant Behavior, Community Relations, Crime and Society, Juvenile Delinquency, Social Psychology, Native American Government and Law, Field Projects in Criminal Justice Studies, Corrections, and Special Topics. In addition to these regularly taught courses, special courses are given as the need arises (e.g., Crisis Intervention for Law Enforcement Officers).

One special feature is the student intern program, the object of which is to familiarize students with application of criminal justice theory and concepts in practice. The program objective is threefold: to provide students with practical experience, to serve as an incentive for college-trained individuals to enter the criminal justice system, and to provide qualified students an opportunity to make career choices. In order to earn academic credit, each student is required to work a minimum of 15 hours a week in a sponsoring agency and to submit daily and weekly summaries of his experiences and observations. The summaries are shared with other members of the program at weekly seminars. In addition, each student is responsible for a final agency analysis.

In an effort to meet the needs of students who live long distances from institutions of higher learning, the College of Great Falls established the CGF center for resident instruction at Lewistown in 1974. With current enrollment at 195, the center has expanded its course offerings each year, including criminal justice courses for law enforcement person-

nel of the surrounding area. A similar program exists at Hays, on the Fort Belknap Reservation.

For further information, contact Father Anthony Gregori, Criminal Justice Studies, College of Great Falls, Great Falls, MT 59405.

University of Montana

Undergraduate students pursuing a career in criminal justice are encouraged to major in one of the behavioral sciences. Most appropriate would be sociology, psychology, political science, social work, or interpersonal communication. Students with specific interest in forensic science usually major in microbiology, chemistry, geology, or pharmacy. As a major in a specific department, a student meets the requirements of that department and selects appropriate courses from other departments to provide a broad back ground in preparation for specific training by the criminal agency by which he is employed.

Many undergraduate students major in sociology with a special emphasis in criminology. In addition to the required courses for a major in sociology, these students usually take one of the seven regularly offered courses in the criminal justice area and where possible participate in an internship in a criminal justice agency.

Students interested in criminal justice careers who desire graduate degrees may pursue a Master's, Juris Doctor, or Ph.D. in a specific department or school. Master of Arts, Master of Public Administration, Master of Science, Juris Doctor (Law School), and Doctor of Philosophy in Psychology or Sociology are the usual degrees sought by such students.

As the primary state-supported liberal arts institution of higher education, the U of M maintains a commitment to a broad educational background for students. There is no major or minor in criminal justice: The educational focus is on the broad preparation for later specific training or for specializing through graduate work. This broad emphasis permits students to be maximally flexible in their preparation for a variety of criminal justice jobs.

Students interested in specific information about majors in the U of M should consult a catalog available from the Office of Admissions or may contact Dr. Richard Vandiver, Department of Sociology, University of Montana, Missoula, MT 59812.

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September-December, 1978

Grants Include State Judicial Information System

The Board of Crime Control awarded \$296,235.21 during its October 26-27 meeting and \$105,909.19 at the meeting held December 14-15. Subgrant amounts for the two months are distributed in the following broad program categories:

	October	December
Equipment	\$ 7,972.66	\$11,852.67
Local Jails	1,942.11	
Uniform Recordkeeping/Procedure Manuals	3,919.50	
Community Awareness/CJA	1,454.04	
Communications	12,793.30	12,931.96
Defense Training	631.14	
Post-Graduate Employment	4,075.58	
Judicial Education & Training	464.40	
In & Out-of-State Training	7,956.00	
Prosecution Training	15,091.02	
Regional School Monitor (MLEA)	18,422.39	
Project Evaluation	41,686.19	
CJS Information Systems	9,817.13	
Alcohol/Drug Abuse Treatment	14,949.00	
Attorney (Montana State Prison)	19,100.00	
Juvenile Intensive Counseling	6,571.80	
Deinstitutionalization of Status Offenders	18,092.55	
Delinquency Prevention	44,186.40	
Statewide CJS Information Services	67,110.00	6,810.57
Consolidation/Special Impact Program		17,198.36
Replacement Manpower		964.05
Staff Attorney-Supreme Court		17,000.00
CJS Interns		7,500.00
Juvenile Probation		15,120.00
Juvenile Justice Training		4,500.00
Juvenile Restitution		12,031.58

(Continued on Page 4)

SPA STAFF IS REORGANIZED

The Board of Crime Control staff has recently undergone realignment.

In response to increased emphasis on juvenile justice programs, a Bureau of Juvenile Justice has been formed, with Steve Nelsen as chief. He will add a juvenile justice planner to his staff to replace Gary Buchanan, who is now special projects manager.

The former Bureau of Planning and Bureau of Research and Design are merged into the Bureau of Planning and Research. Due to the overlapping nature of the work of the former two bureaus, it is advanta-

geous to combine them: they support each other and can provide a full spectrum of technical assistance as far as planning and information systems are concerned. The bureau is headed by Larry Petersen.

An evaluation unit has been established, consisting of Hank Lang, Norm Thompson, and Bob Logan. The unit will evaluate both LEAA-funded and OJJDP-funded projects.

The reorganization involves no increase in staff.

The Grant Administration Bureau is unchanged.

Status Offenders: A Compounding Dilemma

by Carle O'Neil, Chairman,
Montana Youth Justice Council

The Youth Justice Council serves in an advisory capacity to the Board of Crime Control in matters pertaining to juvenile justice and delinquency prevention. Its 21 members, appointed by the governor, represent various facets of the youth services and criminal justice spheres. Together, the Council and the MBCC administer the Juvenile Justice and Delinquency Prevention Act of 1974 (amended in 1977) in Montana. O'Neil has been chairman of the Council since 1975. — Editor.

A great deal of time and energy is being spent on the plight of the "status offender." This comes in good measure as a result of federal legislation requiring the removal of status offenders from the juvenile justice system — particularly they must not be institutionalized, must not be held in secure detention, and must not be confined with adults. It is held that a child's basic rights are being violated by subjecting him/her to juvenile court action if he/she commits a status offense.

Some say that status offenders generally have problems and need help, but the juvenile court is not the appropriate agent because status offenders are not delinquent or criminal; service should come from less stigmatizing sources. Others say that children who want to leave school, don't want to live at home, don't want to be subjected to parental control should have their freedom and not be interfered with.

There appears to be a disturbing prejudice at work: that status offenders should not be dealt with by the same authority — the juvenile court — which deals with delinquents, for if they are, they are tarred by the same nasty brush. Being associated with delinquents is construed as bad, and status offenders, so the argument goes, are not bad. In my professional upbringing it was accepted that delinquents had done bad things, but they were not to be regarded by the courts or anyone else as **criminal**. They were delinquent and this meant that respectful efforts were to be made to lead, counsel, treat, discipline, and/or educate them away from law-breaking and into a socially acceptable pattern of life. In my experience the juvenile court was constructively concerned about **all** of the youth referred and none of these was to be considered prejudicially. Now the implication made by the advocates of the status offender seems to be that delinquents are criminal and sinister to the welfare of hapless status offenders.

I cannot agree that status offenses should be dropped from the law and the kids just turned loose on their own recognizance. I do not feel comfortable

about abandoning status offenders. In my view that is to fail them and to fail society.

What do the critics have to offer as an improvement to the court? The most extreme suggestion seems to be to give those children now labeled status offenders their freedom. If they don't break the law and don't hurt anyone, then stay out of their lives. This might work for some. No doubt some "wayward" youths (status offenders) have sufficient talent and personal resources that they will survive freedom and some rebelliousness and move on to healthy adulthood. But there are others who won't. The question is, should some authority move into the lives of status offenders or not?

Here and there some programs have been developed for runaways, truants, or incorrigibles which offer some kids a hopeful alternative to the juvenile justice system. Attention homes, runaway homes, and some foster care programs are examples. These are beginnings and in my view they are preferable to the juvenile justice system in several respects. But even the best of these places have their failures and what becomes of those kids? Attention homes, foster care, shelter houses, etc., deal mainly with the problems of adolescence. This is a kind of after-the-fact operation. Ideally, the problems should be **prevented**. In Montana much of the work of the Youth Justice Council to date has dealt with prevention; for example, Big Brothers/Sisters and the Family Teaching Center. What has been done is infinitesimal in view of the need, but it is a proper start.

Great efforts yet need to be made on behalf of family counseling. The mental health centers could take the lead in this regard, but they have their limitations. Too often they seem to be cloisters of a classical "how-do-you-feel-about-that?" kind of therapy and cannot conceive of reaching into the community more creatively.

And then there are the schools. Because the schools see the children most, they are in a position to know the most about them. If they care about kids beyond pedantry, they are in a good position to innovate services. If they are of a mind to, they can deal with young children in problem-preventive and corrective ways, and depending upon their skills and inclinations, involve many of the parents as well.

Unfortunately, the schools, like the courts, are human institutions that have their failings. There are many dedicated professionals in the schools quietly serving children year after year. Tragically, there are others who see working in schools as a sinecure. At least in the court system judges have to run for re-election. What would it do to our

(Continued on page 4)

Robbery Victims and Injuries: Does Weapon Matter?

A robber using a gun is less likely to injure his victim than an unarmed robber or one using another weapon, according to a study recently released by the Law Enforcement Assistance Administration (LEAA).

But it added that one percent of gun robbers kill their victims, compared to one-fifth of one percent of other armed or unarmed robbers.

The study — Does the Weapon Matter? — was conducted by the Institute for Law and Social Research and funded through the National Institute of Law Enforcement and Criminal Justice, LEAA's research arm.

The study evaluated a so-called "weapons emphasis policy" in the prosecution of violent offenders. (Most of the data came from the Washington, D.C., Superior Court from 1973 through 1976. Also included is a study of robbery-murders in Atlanta from 1976 through 1977, and an analysis of data from the National Crime Panel Surveys of 26 large cities. The study was done by Phillip J. Cook and Daniel Nagin, assistant professors of police sciences at Duke University.)

Professor Cook said the study revealed that in the District of Columbia Superior Court a higher emphasis was placed on the prosecution of cases in which the defendant used a weapon. But no distinction was made among defendants using a gun or other weapon such as a knife, club, or tire iron.

"This is well within the spirit of the law, however," Professor Cook said. "The law makes a sharp distinction between armed and unarmed defendants, but not between defendants using a gun as opposed to another weapon."

The study said no special emphasis was placed on the prosecution of cases in which the victim was injured. Death of the victim, however, automatically triggered the felony-murder law and the case received full prosecutorial attention.

The study recommended that special emphasis should be placed on cases in which assailants injure their victims.

"The injury rate is far above what would be required for the normal, professional business of robbery," Professor Cook said. "Most victims who are injured did not resist prior to being injured. We found from looking at the murder-robbery files in Atlanta that most people killed in the context of robbery didn't resist in any effective way. It looked like a pattern of viciousness or sadism on the part of the robber.

"We should have a policy that, if an assailant decides to beat up or stab his victim, then he is

going to be in an awful lot more trouble. The current policy seems to be that if you kill your victim you are, of course, really going to get the book thrown at you, but if you injure your victim then you will not be prosecuted specially."

Some findings included in the study:

The victim of a robbery in which no gun is used is much more likely to be injured seriously — defined as needing medical treatment or being hospitalized overnight. The gun robbery victim requires medical treatment in five percent of the incidents; knife robberies, 10 percent; other weapon, 13 percent; and unarmed, 10 percent.

For robberies involving guns, the victim is attacked in about 20 percent of the cases. In knife robberies, the attack rate is 36 percent. Robberies involving weapons other than knives or guns had a 56 percent attack rate. In unarmed robberies, the victim was attacked in 71 percent of the cases.

The study said the gun-holding robber has a less violent pattern because the robber without a gun feels a greater need to intimidate his victim by inflicting injury.

The type of weapon used by a criminal does not serve as a predictor that he will commit further crimes or what type of crimes.

A larger percentage of persons committing a robbery without a weapon were likely to be rearrested for robbery compared to the rearrest rate for robbers using a gun.

The robber who does not use a gun is much more likely to be rearrested for an assaultive crime than his gun-using counterpart.

Professor Cook said the Miami and Atlanta robbery-murder files showed that the more robbers there are in a single incident, the more likely the victim is to be injured.

"You would expect," Professor Cook said, "that if there were several robbers holding up an individual victim, there would be less likelihood of injury to the victim, because they could presumably intimidate him by their very mass presence. But there is a very strong correlation between the number of robbers and the likelihood of being injured. My personal view is that in these cases you have a group of nonprofessionals out looking for kicks, or entertainment, and possibly on drugs and egging each other on."

The study has not been published but copies are available on interlibrary loan from the National Criminal Justice Reference Service. For information, call 202-862-2900.

STATUS OFFENDERS . . .

(Continued from page 2)

school systems to require that teachers be voted upon every four years? Nevertheless, it may just be that our schools are our greatest potential source of help for kids and families. That is dependent upon gifted and inspired leadership even more so than the attention homes. But wherever such leadership is recognized it should be supported. Somewhere in Montana there must be someone in a school system with a dream of a project which special funding could get off to a start.

And what about jails? I am solidly with the federal government on jails. In my view no child should be detained in even the same building with adults. With few exceptions, jails are a kind of human cesspool where hours upon hours are spent in idleness, hollered conversations may be carried on from cell to cell and these are usually of a destructive nature. No one knows how much influence this may have on a juvenile personality. I suppose it depends on the individual.

This does not mean that detention or isolation of a child is not sometimes necessary. It sometimes is, and can be a constructive experience, but the confinement should be separate from adult offenders and should be administered and supervised by responsible adults.

Public attitude and the availability of finances are realities impinging upon the responsible detention of juveniles. But I think the Youth Justice Council should actively advocate the complete separation of adults and juveniles in jail facilities, and that ultimately the two age groups should be housed separately.

I understand that the state of Washington has enacted legislation removing status offenses from the purview of the juvenile justice system, but it has done little to see that the children in this category are otherwise served. I would hate to see this happen in Montana.

I am glad to have the federal government return tax money to us for use on behalf of troubled and troublesome youngsters. In the case of status offenders, I am afraid that some of the strings attached are unwise, particularly three-year deadlines and 100% compliance. Sometimes it is most prudent to "make haste slowly." I hope that federal financial support will continue, but whether it does or not,

the following summarizes my viewpoints on a number of issues and where I think we should proceed:

We should continue to place great emphasis on prevention programs. Family counseling should be extended. Innovations in the school systems and in the field of mental health should be encouraged.

Public awareness of the distinction between "delinquents" and "status offenders" should be generated, so that the public can make wise decisions regarding related problems. This can be done through the media; possibly some organization could be involved in this as a statewide project.

Immediate steps should be taken to assure the complete separation of all children from adults in jails. Longer range, separate facilities should be sought depending on funding.

Alternatives to jailing youngsters should be sought, encouraged, and supported.

All tax-funded programs should be evaluated to assess fulfillment of goals and objectives, to ensure fiscal responsibility, and to make certain that projects which "pay off" are made known so they can be adopted elsewhere.

Activities regarding status offenders in other states should be observed and evaluated; their applicability to Montana should be judged and where appropriate their initiation on at least a pilot basis in Montana should be encouraged.

GRANTS IN OCTOBER, DECEMBER . . .

(Continued from Page 1)

The largest subgrant, \$60,000, went to the Montana Supreme Court for the second phase of the development of the state judicial information system, which will improve collection and use of court data and flow of information within the court system.

Of the total of \$402,144.40 awarded, \$100,502.33 went to juvenile justice-related programs, which are funded through the federal Juvenile Justice and Delinquency Prevention Act.

Four vacancies occur on the board as of January, 1979. Those no longer serving on the board are former Butte-Silver Bow Chief Executive Mike Micone, former State Representative Geraldine Travis of Great Falls, ex-County Attorney Art Ayers of Red Lodge, and retiring Missoula County Commissioner Lud Browman. Their replacements will be named by Gov. Judge.

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June-August 1978



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Volume 7, Number 1

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GRANTS FOR MAY, AUGUST EXCEED \$800,000

The Board of Crime Control awarded sub-grants totaling \$604,332.88 in May and \$196,238.05 in August. The money was distributed as follows:

	May	August
Equipment	\$ 28,088.31	\$ 2,406.02
Educational Materials	3,192.00	
Local Jails	5,887.11	881.05
Consolidation SIP	21,725.74	18,725.46
Communications	15,030.60	10,009.50
In & Out-of-State Training	12,163.18	7,304.24
Management Training	11,460.00	5,754.00
CJS Interns	26,094.10	
Target Crime Areas	187,885.99	
Community Awareness/CJA	85,233.47	
Deinstitutionalization of Status Offenders	20,837.25	12,420.00
Shelter Care	136,274.00	8,000.00
Management Monitoring System	17,469.13	
Juvenile Institutions-Equipment	15,459.00	5,220.00
Juvenile Justice Research	17,533.00	
Post-Graduate Employment		4,057.58
Policy & Procedures Studies		8,278.16
Clinical Services		39,824.94
Juvenile Probation		18,973.43
Juvenile Intensive Counseling		9,491.50
Juvenile Restitution		12,654.00
Statewide CJS Information Systems		31,500.00

**MONTANA
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OF
CRIME
CONTROL**

**Michael A. Lavin
Administrator**

**TERRY HOSKINS
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Judge Praises Lawmen At Criminal Justice Meet

Governor Thomas L. Judge was the featured speaker at a dinner for members of the Western Montana Criminal Justice Association and their spouses in Missoula on July 20.

Judge called western Montana a leader in criminal justice reform, urging those involved in working to improve the criminal justice system to persevere in their efforts, and pledging his support.

Through such efforts, he said, what were once only ideas are now laws—peace officer mutual assistance and the forensic science system, to name two.

He stressed the need for adequate funds to implement some of the laws, citing the example of deinstitutionalization of status offenders and shelter care facilities. Inadequate funds have in the past hindered the law's implementation in these important areas, he said, and failure to deter juveniles bodes ill for the future and presages problems for probation and parole.

(Continued on Page 4)



Gov. Judge in Missoula

Published at
1336 Helena Avenue
Helena, Montana

1979 — New Budget, Programs

After a lengthy process, the 1979 budget allocations were made as follows, by category: Manpower, \$69,000; Training, \$202,500; Education, \$45,000; Equipment, \$46,400; Facilities, \$45,000; Workloads, \$10,000; Operating Standards, \$95,000; Part E, \$93,600. The total is \$838,400, not including juvenile justice programs, which are treated separately.

There are several new programs for 1979.

Supreme Court Staff Attorney (A-25) will allow the hiring of an attorney to act on some of the many documents submitted to the supreme court that need not be acted on by the justices, thus allowing them more time to work on opinions, reduce present backlog, and maintain a more manageable workload.

Defender Training (B-16) will furnish funds for in and out-of-state training for public defenders.

Criminal Justice Management Center (B-17) will identify and provide the requisite management training for criminal justice administrators and for the majority of criminal justice management level personnel.

Regional School Monitor (B-25) will provide salary for a coordinator/facilitator for local law enforcement and the Academy, to ensure that local training is POST-accredited, and to help local law enforcement establish training programs.

Victim/Witness Program (I-12) will provide funds to lease an IBM 6/450 word processing unit for one year, in order to create in a prosecutor's office the ability to handle the workload without hiring additional legal staff. It would identify the number of cases lost due to poor victim/witness management and increase the convictions in those areas. The system will be made available to other counties in the state.

Community Correctional Center (P-1) will help a community halfway house facilitate the community adjustment and integration of prison inmates whose incarceration caused a breakdown of community ties.

Pre-sentence Investigation Assistance (P-23) is intended to reduce time spent gathering and validating information needed in pre-sentence investigation, to develop and implement a prescriptive programming profile to use when making recommendations for sentencing, to provide training to parole/probation staff in managing both their time and volunteer and community resources, and to explore alternatives to current methods of pre-sentence investigation.

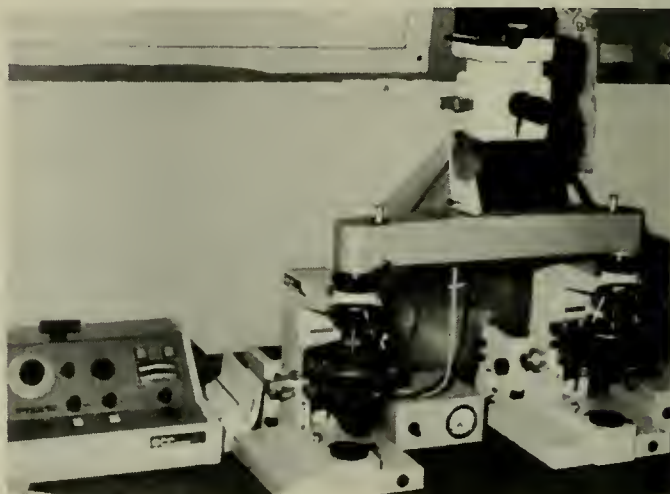
State Prison Attorney (P-35) will pay the salary of an attorney at the state prison who will train the staff in legal matters, represent the prison in law suits by inmates, and help implement recommended standards adopted by the Montana Justice Project.

CRIME LAB — A VALUABLE STATE RESOURCE

The Criminal Investigation Laboratory, located in the lower level of the Wilma Building in Missoula, was established in 1970 by the attorney general to provide analyses for the identification of controlled substances for law enforcement agencies in Montana. Since then the lab has expanded its capabilities into other types of laboratory evidence.

In addition to its in-house services the lab handles the DWI program for the state, provides DWI training and proficiency testing for officers performing breath alcohol analyses in the field, and provides continuing education in collection and preservation of evidence or in forensic science in general to law enforcement officers, attorneys, and the public in cooperation with the Montana Law Enforcement Academy, other state agencies, and education-oriented groups.

(Continued on Page 4)



Leitz comparison microscopes



Infrared spectrophotometer gives the "fingerprint" of a pure organic compound.

Life Skills Center Gives Ex-Offenders Boost

Tucked inconspicuously into a corner of the Fort Missoula compound is a pair of two-story white frame duplexes owned by the University of Montana. After overcoming community opposition and Army obstacles in the planning stages, one of these buildings has become a halfway house providing services and a home for persons released from probation or on parole from the state prison on their way back to the community. In operation since December, 1977, this facility is called the Life Skills Training Center. Its director is Walt Pool; he is assisted by Pat Squires.

In July, 1978, four clients lived there. Each stays for 12 weeks, during which time he or she is expected to progress along an outlined program of personal and physical achievement.

Clients are first-time offenders, usually between the ages of 18 and 23, and must not have been convicted of a violent crime (exceptions are negligent homicide or abuse of one's own child). The Center selects persons who are sincerely motivated to change the course of their lives. To those persons, it is supposed to furnish just that extra something that ensures their successful return to society.

The Center is not equipped to handle clients with serious drug and/or alcohol problems — these are referred elsewhere for treatment. The Center provides 24-hour security, although no supervisory personnel live there.

When a client arrives, a personal profile is made on him and together with a counselor he writes

out the personal and physical goals he wants to achieve. He will go on job interviews, accompanied by a counselor.

Throughout his stay he is expected to attend various counseling sessions in such areas as drugs and alcohol, mental health, education and vocation employment training — all provided through community programs. Also provided is training in communication skills, assertiveness, and "life skills," all based on the "Carkhuff model." Staff encourages visitors and phone calls and urges that spouses, friends, or children of clients participate in their counseling.

Many clients lack basic skills of everyday living that most people learn at home, said Pool, and this can contribute to a lack of confidence, which can in turn contribute to other problems. Clients take turns doing the cooking and grocery shopping for the Center, learning about nutrition in the process. They do household chores and take care of the yard. They planned to insulate parts of the house and re-screen the big front porch.

They receive instruction in tackling various kinds of problems like buying a car, finding an apartment, getting a job, and mapping out plans for the future. Provided with these skills they can feel confident about coping in society. They also know what community resources they can use if they need to.

If a client fails to live up to his contract with the Center, he must suffer the consequences, which amount to extra work duty, loss of passes, various restrictions — even re-evaluation or termination of his contract.

On the other hand if a client meets all the requirements, he gains privileges and advances in status. He may reach "unsupervised" status and earn weekend passes; from there he can progress to "honor" status and write a proposal for his release. He can go into the "out-client" stage and live away from the Center if he has met the criteria. His plan for release is reviewed by the Center and probation/parole, and if he has saved enough money, has found a residence, and is employed or a full-time student — in other words, if he has reached a stage of rehabilitation where he can function independently in society, he may be released.

The Center has membership in the International Halfway House Association and is working toward accreditation by the Commission on Accreditation of the American Correctional Association. If it receives this accreditation, it will be the first public halfway house in the country to do so, according to Carolyn Zimmet, Chief of the Community Services Bureau, Department of Institutions.



Life Skills Training Center at Ft. Missoula.

CRIME LAB . . .

(Continued from Page 2)

The lab employs seven forensic scientists and a secretary. There is no charge for any analysis performed or for expert witness testimony given by its personnel.

The average turn-around time for routine samples is five to ten working days from the date of arrival at the lab until the analysis report is sent to the submitting agency. Reports on non-routine samples and major cases, especially those involving serology, frequently take 20 days or longer.

The major instrumentation available in the lab includes six gas chromatographs, a pyrolysis attachment, two infrared spectrophotometers, one fluorescence spectrophotometer, two ultra-violet spectrophotometers, a stereomicroscope, comparison microscope, and thin layer chromatography equipment.

Since the lab assumed the DWI testing July 1, 1977, its workload has almost doubled, as more than 300 samples are received monthly just for DWI, submitted by more than 100 local, state, and federal law enforcement agencies in Montana.

While about 80% of the workload involves blood alcohol and street drug analyses, the lab can identify drugs and poisons in blood and urine and can identify other organic substances found in fire accelerants and alcoholic beverages. It can provide identification and some comparison of rubber, adhesives, acrylic paint, synthetic polymers, and the like. It provides ABO typing of blood and body fluid stains as well as substances involved in rape cases. No equipment is currently available to identify and compare inorganic substances such as iron, silicon, aluminum, lead, etc., which are found in most trace evidence. Although muzzle to garment distance determinations can be made, other firearms or tool-mark identification and document examinations are referred to other labs.

CRIMINAL INVESTIGATION SECTION**NO. OF SAMPLES SUBMITTED IN 1977**

Federal & State Agencies	174
(e.g., state fire marshal, state prison)	
Sheriff Departments	2,558
Police Departments	1,116
Individual Fire Departments	63

KINDS OF SAMPLES SUBMITTED IN 1977**Controlled Substances—**

Hallucinogens (marijuana, LSD, TCP)	1,512
Stimulants (amphetamines, cocaine)	195
Depressants (diazepam, meprobamate)	89
Narcotics (codeine, heroin, opium)	30

Non-Controlled Substances

(alcohol, diethyl ether, etc.)	553
Fire Accelerants	237
Other (saliva blood, hair, fiber, paint)	1,302

JUDGE PRAISES . . .

(Continued from Page 1)

He quoted recent crime statistics which show the state's crime rate grew more than six times faster than the population in the years between 1970 and 1975. One in 16 Montanans was victim of some kind of criminal act.

Those who addressed the business meeting of the Association were Sabe Pfau, representing the Chiefs of Police Association, Dale Dye, president of the Sheriffs and Peace Officers Association, Bob Weaver of the Police Protective Association, Dusty Deschamps, Missoula County Attorney, Jerry Johnson of the Juvenile Probation Officers Association, and Jim Ranney of MONTCLIRC.

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